



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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July 2020

BUSINESS APPOINTMENT APPLICATION: MR JOHN JAMES PULLINGER CB

1. The Committee has been asked to consider an application for Mr John James Pullinger CB, former UK National Statistician from July 2014 until June 2019, he was also the Head of the Government Statistical Service (GSS) and Chief Executive of the UK Statistics Authority. He has executive responsibility for the Office for National Statistics (ONS). He requested the Committee's advice on setting up an Independent Consultancy.
2. His last day in post and Crown Service was 30 June 2019.

The application

Consultancy

1. Mr Pullinger sought the Committee's advice on setting up an independent consultancy, he intends his work to include:
 - Short term contracts in my areas of expertise - advising on matters such as the collection, analysis, interpretation and presentation of quantitative information.
 - Advice might also involve matters such as leadership, strategy and governance, including via Non-executive director positions.
2. The Office for National Statistics and The Cabinet Office provided their views on this application. The details of Mr Pullinger's application were confirmed and neither department had any concerns on Mr Pullinger establishing this consultancy.

The Committee's consideration

Consultancy

3. When considering Mr Pullinger's application to set up an independent consultancy, the Committee¹ took into account that he proposes to set up a consultancy drawing on his generic skills and experience. The Committee considered that, generally, this poses no particular risks of impropriety under the Government's Business Appointment Rules. However, the Committee observed that the risks under the

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood.

Rules can only be adequately considered and assessed in relation to the individual commissions he goes on to take up under the consultancy. Nevertheless, the Committee considered there are some general areas of potential conflict it is possible to mitigate.

4. The Committee recognises it would not be improper for him to operate a consultancy which draws on generic skills and experience he gained from his time in government. Risks under the Government's Business Appointment Rules, are more likely to arise from work that is related to applicants' time in office. Based on the information from the departments, the Committee considered the risk attached to his access to information as the National Statistician was low, especially given the time that has passed since he left office. However, the Committee would draw his attention to the conditions below which note he must not draw on privileged information (for example, as yet unannounced data and reporting he had access to).

5. There are also inherent risks attached to his network of contacts across the UK Government/ Whitehall. The conditions below include a ban on lobbying the UK Government and a restriction on providing advice on the terms of, a bid or contract relating directly to the work of the UK Government, to mitigate the potential for unfair advantage to his clients if they apply for contracts or funding from the Government.

Future commissions

6. Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission he proposes to take up will depend on the specific details of each piece of work. It is the Committee's experience that applications where there is a connection between the former Crown servant's responsibilities in government and the area they are looking to work in outside Government, are more likely to give rise to risks under the Rules. The Committee will consider such risks on a case by case basis. As is usual in such cases, Mr Pullinger will need to seek advice from the Committee for each commission he wishes to accept.

7. The Committee also advises that when seeking work and/or commissions, he should adhere to the conditions below.

8. The Prime Minister, under the Government's Business Appointment Rules, has accepted the Committee's advice that this appointment, to set up an **Independent Consultancy**, should be subject to the following conditions:

- He should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government or its Arms Length Bodies on behalf of those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government, Arms Length Bodies and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service he should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid

or contract with, or relating directly to the work of the UK Government or its Arms Length Bodies; and

- for two years from his last day in Crown service, before accepting any commissions for his independent consultancy and or/before extending or otherwise changing the nature of his commissions, he should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.

9. By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act or otherwise.

10. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister *"should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office."*

11. I should be grateful if you would inform us as soon as Mr Pullinger takes up this appointment, or if it is announced that he will do so. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether Mr Pullinger had complied with the Rules. Similarly, I should be grateful if you would inform us if he proposes to extend or otherwise change his consultancy as depending on the circumstances, it might be necessary for you to seek fresh advice.

12. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and in the relevant next annual report.

Yours sincerely

Isabella Wynn
Committee Secretariat